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NANCY), HK, CH
SUBJECT: CODEL PELOSI, ACTIVISTS DISCUSS CHINA'S LABOR
RIGHTS MOVEMENT

Classified By: Consul General Joe Donovan for reasons 1.4 (B,D).

¶1. (C) Summary: Prominent Hong Kong-based human rights and labor activists Han Dongfang and Robin Munro told CODEL Pelosi May 29 that a maturing grassroots rights movement in China gives them hope, though pervasive corruption remains a major obstacle to protecting Chinese citizens' rights and welfare. The central government recognizes local officials are "fleecing" ordinary Chinese and sees this as an issue on which to engage the people and help ensure regime survival. Chinese citizens for now generally direct their anger at local officials. Han and Munro, Director and Research Director, respectively, of the China Labor Bulletin, noted progress in the areas of winning labor lawsuits and promoting collective bargaining in mainland China. They contend Western companies should continue to be role models for Chinese enterprises, but the Chinese people will have to do the heavy lifting in fighting for their basic economic and labor rights. End summary.

¶2. (C) Speaker Pelosi started the meeting by introducing Han as someone she has known since 1993 and has admired for much longer. Calling him a true hero who fought for human rights under a Communist regime, she remarked it was an honor for the delegation to have a chance to meet with him. Speaker Pelosi called Robin Munro a "true voice" of the rights and labor situation in China who "never burns out."

Maturing Grassroots Labor Rights Movement

¶3. (C) Responding to the Speaker's question on the future hope for human rights in China, Han recalled how during the first 10 years following the Tiananmen crackdown, no one dared do anything in a pervasive atmosphere of fear. In the last decade, however, Chinese people have chosen to overcome their fears to fight for basic labor and economic rights they feel have been robbed by corruption. Despite lack of money and education, many farmers and workers recognize they need to stand up and demand their rights. Han was proud to be part of the fight when the movement first started on the Mainland, but even more proud now to be able to follow closely the movement's development and apply the resources of his organization, China Labor Bulletin (CLB), to the workers' cause.

NGO Expands Focus, Sees Real Results

¶4. (C) Munro explained that about 5 years ago CLB expanded its focus from just monitoring and reporting on the labor rights situation in China to actively running programs in mainland China. One program is funding mainland rights lawyers to represent Chinese workers and farmers in large collective lawsuits. CLB currently operates these legal

representation programs in 10 Chinese provinces. While CLB's ultimate goal is to see China obtain democracy and rule of law, they had realized "waving these banners" was not the most effective way to instill these concepts into Chinese people's consciousness; it was more effective to make it relevant to the people's daily lives. In 2008, CLB-funded cases won over USD 1.5 million in compensation for Chinese workers, said Munro.

15. (C) Representative Sensenbrenner asked about the level of success in litigating against employers who are state-owned enterprises (SOEs). Munro responded that most of the lawsuits CLB supports are against private enterprises, but admitted the continued close links between private employers, many of whom used to manage SOEs, and government pose a difficult challenge to getting a fair trial.

16. (C) Another CLB program generating positive results is promoting collective bargaining in China. Munro, thanking the Speaker for her letter of support that helped CLB get USG funding for the program, noted the current situation in China is ripe for workers to engage in such actions. Although the protests occurring across the country are not coordinated, an independent workers' movement is emerging; all the workers need are the tools to help them fight for their rights. While workers in China are prohibited from forming unions, collective bargaining is not illegal. Han added that protests and strikes are part of the bargaining process, but CLB aims to help the workers learn to bargain "at the table."

Munro noted the Shenzhen government's recent endorsement of collective bargaining and Xiamen province's latest labor laws as positive signs that the government is willing to listen.

HONG KONG 00000976 002 OF 003

Corruption Still the Heart of the Problem

17. (C) Responding to Representative Markey's request for an example of abuse of farmers' and workers' rights, Han recalled a recent phone call he received from some farmers who were trying to avoid being arrested for protesting in Beijing about inadequate compensation for their land. The local government confiscated their land to build a highway; in addition to not being notified in advance, they were only offered 60 percent of what central government documents assessed as the true value of the land. Han, noting he receives similar calls "constantly," contends that corruption, particularly local, remains the main obstacle for securing workers' rights. Han, however, sees signs for hope as the central government and the Chinese people have come to realize this is an issue on which they can work together. Responding to Representative Inslee's question about Beijing's fears of a regime collapse, Han contended the central government sees eradicating corruption at all levels as essential to regime survival. In return, the people's anger is generally directed at local corrupt officials and not the central government.

18. (C) Robin Munro agreed with Speaker Pelosi that even a basic right such as having access to clean air is affected by corruption. Noting that popular dissatisfaction is much more widespread now than 20 years ago, Munro contends local officials continue to have free reign to fleece Chinese citizens. As a result, discontent is not only found in political elites as in the past, but with the ordinary population on a large scale.

External Factors Have a Role to Play

19. (C) Representative Blumenauer asked what kind of role could U.S. companies play in adjusting the overall attitude towards workers' rights. Munro responded that Western

companies have played an important role by serving as role models for providing safe work environments and ensuring workers' rights, but the heavy lifting needs to be done by the Chinese people. For workers' rights to become a permanent concept, it needs to come from the Chinese citizenry. There is no shortcut, Munro said.

¶10. (C) Responding to Representative Markey's question about the role of the Internet in the current rights movement, Han remarked the Internet plays a key role in pressuring the Chinese government to address these and other issues. The Internet also allows the Chinese people and outside observers to have a voice on human and labor rights issues that didn't exist before. As the rights movement continues to grow, the Internet will become even more important.

Tibet

¶11. (C) Han encouraged the delegation to help bring the Dalai Lama and Beijing together. Han fears that the time when China becomes democratic will be the time when Tibet pushes for independence, forcing the newly-elected Chinese leader to either invade Tibet or step down, leaving the military leader to carry out the invasion. Han contends the Chinese population will support the invasion. Speaker Pelosi remarked that the delegation couldn't even get a visa to Tibet.

¶12. (U) U.S. Participants:

Speaker Nancy Pelosi and Mr. Paul Pelosi
Consul General Joseph Donovan, Jr.
Rep. Edward Markey and Dr. Susan Blumenthal
Rep. James Sensenbrenner and Mrs. Cheryl Sensenbrenner
Rep. Earl Blumenauer and son Jon Blumenauer
Rep. Jay Inslee and Mrs. Trudi Inslee
Professional Staff Members to the Speaker and Representatives
Lisa Tam, Consulate Political Officer (notetaker)

¶13. (U) Hong Kong Participants:

Han Dongfang, Director of China Labor Bulletin
Robin Munro, Research and Communications Director, China Labor Bulletin

¶14. (U) Speaker Pelosi's staff have cleared this cable.

HONG KONG 00000976 003 OF 003

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